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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,502	02/21/2007	Rudiger Siemens	P06,0176	7007
26574	7590	06/14/2010		
SCHIEF HARDIN, LLP PATENT DEPARTMENT 233 S. Wacker Drive-Suite 6600 CHICAGO, IL 60606-6473			EXAMINER RUST, ERIC A	
			ART UNIT 2625	PAPER NUMBER
			MAIL DATE 06/14/2010	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/581,502

Applicant(s)

SIEMENS ET AL.

Examiner

ERIC A. RUST

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 May 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 71-88 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 71-88 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/CD)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on May 28, 2010 has been entered.

In the Amendment filed on May 28, 2010, Applicants canceled claims 51-70, and added claims 71-88. Accordingly, claims 71-88 are pending.

Priority

2. Acknowledgment is made of Applicants' claim for foreign priority under 35 U.S.C. 119(a)-(d). However, the certified copy of Application No. 103 57 490.5, filed on December 09, 2003, in the German Patent Office, has NOT been received by the Office. The Examiner understands that Applicants are still attempting to have the PCT Office send the priority document copy to the U.S. Patent Office in accordance with usual PCT procedures. See Amendment, pg. 6.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 71-88 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant Admitted Prior Art (hereinafter, AAPA) in view of International Application Publication No. WO 03/025713 A2 to Dexter et al. (hereinafter, Dexter). Dexter was cited in the IDS filed by Applicants on June 02, 2006.

In regard to claim 71, AAPA discloses a method for processing print data (AAPA, pg. 1, line 30 - pg. 2, line 4), comprising the steps of:

generating a print data stream with data of a plurality of print pages wherein a first object property is associated with at least one region of the print pages (AAPA, pg. 1, line 30 - pg. 2, line 4); and

with a computer, processing the print data wherein in a first raster process rasterizing at least the print data of the at least one region by use of said first object property (AAPA, pg. 1, line 30 - pg. 2, line 4);

AAPA does not disclose displaying at least the rasterized print data of said first raster process on a display; selecting at least one part of the at least one region of one of the plurality of pages of the print data stream; with the computer associating at least one second object property differing from the first object property with the selected at least

one part of the at least one region; and with the computer processing the print data of said selected part of the at least one region by rasterizing the print data in a second raster process dependent on both of the first and the second object properties.

Dexter, however, discloses displaying rasterized print data on a display (**Dexter, Fig. 5, and [0037], lines 1-2**);

selecting at least one part of the at least one region of one of the plurality pages of the print data stream (**Dexter, [0037], lines 2-6**);

with the computer associating at least one second object property differing from the first object property with the selected at least one part of the at least one region (**Dexter, [0037], lines 6**); and

with the computer processing the print data of said selected part of the at least one region by rasterizing the print data in a second raster process dependent on both of the first and the second object properties (**Dexter, [0037], and [0038], lines 1-2, if the user selects only a portion of the page, the second raster process would be dependent on both of the first and the second object properties**).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Dexter with the teachings of AAPA in order to reduce time and the skill of a desktop operator (**Dexter, [0007], lines 1-2**), thereby reducing cost.

In regard to claim 80, AAPA discloses a method for processing print data (**AAPA, pg. 1, line 30 - pg. 2, line 4**), comprising the steps of:

generating a print data stream with data of a plurality of print pages wherein a first object property is associated with at least one region of the print pages (**AAPA, pg. 1, line 30 - pg. 2, line 4**); and

with a computer, processing the print data wherein in a first raster process, rasterizing at least the print data of the at least one region by use of said first object property (**AAPA, pg. 1, line 30 - pg. 2, line 4**);

AAPA does not disclose displaying at least the rasterized print data of said first raster process on a display; selecting at least one part of the at least one region of one of the plurality of print pages of the print data stream; with the computer associating at least one second object property differing from the first object property with the selected at least one part of the at least one region; and with the computer processing the print data of said selected part of the at least one region and rasterizing the print data in a second raster process dependent on only the second object property.

Dexter, however, discloses displaying rasterized print data on a display (**Dexter, Fig. 5, and [0037], lines 1-2**);

selecting at least one part of the at least one region of one of the plurality of print pages of the print data stream (**Dexter, [0037], lines 2-6**);

with the computer associating at least one second object property differing from the first object property with the selected at least one part of the at least one region (**Dexter, [0037], lines 6**); and

with the computer processing the print data of said selected part of the at least one region and rasterizing the print data in a second raster process dependent on only

the second object property (**Dexter, [0037], and [0038], lines 1-2, if the user selects the whole page, the second raster process would be dependent on the second object property**).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teachings of Dexter with the teachings of AAPA in order to reduce time and the skill of a desktop operator (**Dexter, [0007], lines 1-2**), thereby reducing cost.

In regard to claims 72 and 81, which depend from claims 71 and 80, respectively, the combination of AAPA and Dexter disclose wherein a second print data stream is generated in which said second object property is associated with said selected part of the at least one region (**AAPA, pg. 1, line 30 - pg. 2, line 4, and Dexter, [0037], line 5, and [0038], lines 1-3**).

In regard to claims 73 and 82, which depend from claims 71 and 80, respectively, Dexter discloses wherein the at least one region comprises the entire print page (**Dexter, [0037], line 4**).

In regard to claims 74 and 83, which depend from claims 71 and 80, respectively, Dexter discloses wherein at least one of the first and second object properties pertains to at least one parameter of the type selected from the group

consisting of output, print, and processing parameter types (**Dexter, [0037], lines 7-9, region type pertains to at least a processing parameter**).

In regard to claims 75 and 84, which depend from claims 71 and 80, respectively, Dexter discloses wherein at least one of the first and second object properties serves for selection of a color conversion method, a raster conversion method, or an error correction method (**Dexter, [0038], lines 12-13, RGB to CMYK for color photos**).

In regard to claims 76 and 85, which depend from claims 71 and 80, respectively, AAPA and Dexter disclose the claimed invention except wherein at least one of the first and second object properties serves for selection of a raster conversion method, and the raster conversion method comprises a Floyd-Steinberg raster method, a Burkes raster method, or a Stucki raster method.

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have wherein at least one of the first and second object properties serves for selection of a raster conversion method, and the raster conversion method comprises a Floyd-Steinberg raster method, a Burkes raster method, or a Stucki raster method since it was known in the art that the Floyd-Steinberg raster method is commonly used in image manipulation software.

In regard to claims 77 and 86, which depend from claims 71 and 80, respectively, Dexter discloses wherein said selected part of the at least one region comprises an aerial region selected with aid of geometric figures comprising at least one of rectangles, circles, or polygons (**Dexter, Fig. 5, user selects region using rectangle**).

In regard to claims 78 and 87, which depend from claims 71 and 80, respectively, Dexter discloses wherein the print data contained in the print data stream has a resolution which is adapted to a resolution of the printer (**Dexter, [0038], lines 18-19**).

In regard to claims 79 and 88, which depend from claims 71 and 80, respectively, Dexter discloses wherein at least one of color or grey level values contained in the print data stream are adapted to device properties of the printer (**Dexter, [0037], lines 5-9, and [0038], lines 1-2, and lines 12-21**).

Response to Arguments

5. Applicants' arguments with respect to claims 71-88 have been considered but are not persuasive.

In regard to Applicants' arguments of the rejection of claim 71-88, Applicants essentially argue that in AAPA there is no first rasterizing by use of a first

object property, displaying the rasterized print data of the first raster process, and then selecting at least one part of the at least one region and then associating at least one second object property differing from the first object property, and then processing the print data of the selected part of the at least one region in the second rasterizing process dependent on both the first and the second object properties; and that in Dexter there is no first rasterizing by use of the first object property followed by a selection and associating a second object property differing from the first object property and then processing in a second raster process dependent on both the first and second object properties. See Amendment, pg. 7.

The Examiner agrees with the Applicants. However, that Examiner notes that the claims were rejected as being unpatentable over AAPA in view of Dexter, and were not rejected as being anticipate by either reference. That is, the claims were rejected under 35 U.S.C. 103(a), and not under 35 U.S.C. 102.

It is clear to the Examiner that AAPA discloses a method for processing print data (**AAPA, pg. 1, line 30 - pg. 2, line 4**), comprising the steps of: generating a print data stream with data of a plurality of print pages wherein a first object property is associated with at least one region of the print pages (**AAPA, pg. 1, line 30 - pg. 2, line 4**); and with a computer, processing the print data wherein in a first raster process rasterizing at least the print data of the at least one region by use of said first object property (**AAPA, pg. 1, line 30 - pg. 2, line 4**);

Moreover, Dexter discloses displaying rasterized print data on a display (**Dexter, Fig. 5, and [0037], lines 1-2**); selecting at least one part of the at least one region of

one of the plurality pages of the print data stream (**Dexter, [0037], lines 2-6**); with the computer associating at least one second object property differing from the first object property with the selected at least one part of the at least one region (**Dexter, [0037], lines 6**); and with the computer processing the print data of said selected part of the at least one region by rasterizing the print data in a second raster process dependent on both of the first and the second object properties (**Dexter, [0037], and [0038], lines 1-2, if the user selects only a portion of the page, the second raster process would be dependent on both of the first and the second object properties**).

Accordingly, the combination of the references discloses the independent claims as recited in the instant application. Moreover, the combination of the references discloses the dependent claims as explained above.

Accordingly, Applicants' arguments are not persuasive.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC A. RUST whose telephone number is (571)-270-3380. The examiner can normally be reached on Monday - Friday, 8:00 a.m. - 5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Benny Tieu can be reached on (571)-272-7490. The fax phone number for the organization where this application or proceeding is assigned is 571-270-4380.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ERIC A. RUST/

Examiner, Art Unit 2625

06/10/2010

/Benny Q Tieu/

Supervisory Patent Examiner, Art Unit 2625